

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

Nadine Lee,

Plaintiff,

v.

Case No. 1:21-cv-3858-MLB

Ricky L. Clark, Jr., et al.,

Defendants.

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**ORDER**

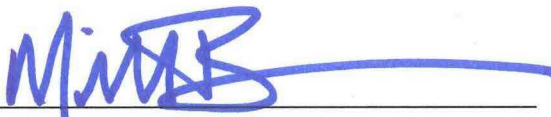
This matter is before the Court on Magistrate Judge Walter E. Johnson’s Final Report and Recommendation (“R&R”) (Dkt. 9). The R&R recommends that Plaintiff’s motion to dismiss be granted in part and denied in part, Plaintiff’s request for a refund of the duplicate filing fee be granted, and the Clerk be directed to refund Plaintiff \$402, close the instant case, and consolidate all filings herein into Civil Action 1:21-cv-03854-ELR-AJB. Plaintiff does not object to the R&R.

“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a de novo or any other standard, when neither party objects to those

findings.” *Thomas v. Arn*, 474 U.S. 140, 150 (1985). But many district courts still do conduct a limited review of unobjected-to portions of an R&R, typically for clear error. See Fed. R. Civ. P. 72(b) advisory committee’s note (1983 addition) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). Even assuming that review is necessary here, the Court sees no clear error in the Magistrate Judge’s recommendation.

The Court **ADOPTS** the R&R (Dkt. 9). The Court **GRANTS IN PART** and **DENIES IN PART** Plaintiff’s Motion to Dismiss (Dkt. 6), **GRANTS** Plaintiff’s request for a refund of the duplicate filing fee, and **DIRECTS** the Clerk to refund Plaintiff \$402, close the instant case, and consolidate all filings herein into Civil Action 1:21-cv-03854-ELR-AJB.

**SO ORDERED** this 21st day of March, 2022.



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MICHAEL L. BROWN  
UNITED STATES DISTRICT JUDGE